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असाधारण

EXTRAORDINARY

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PART II—Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in the Rajya Sabha on the 16th May, 1969:—

BILL No. 40 OF 1969

A Bill to provide for simultaneous legislation in Hindi and English

BE it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. This Act may be called the Language of Laws Act, 1969. Short title.
 2. In this Act, 'prescribed' means prescribed by rules made by the Central Government by notification in the Official Gazette. Definition.
 3. On and after the thirtieth day from the commencement of this Act, the authoritative texts— Texts of Bills etc.
 - (a) of all Bills to be introduced or amendments thereto to be moved in either House of Parliament,
 - (b) of all Acts passed by Parliament and of all Ordinances promulgated by the President, and
 - (c) of all orders, rules, regulations and bye-laws issued under the Constitution or under any Central Act by the Central Government or any body or authority controlled by it,
- shall be in both Hindi and English languages and both the texts shall be of equal force.

Special
provi-
sions for
certain
measures.

4. Notwithstanding anything contained in section 3—

(a) a member, not being a Minister, may at his option introduce a Bill in the House of the People or the Council of States, as the case may be, in either of the said languages, but its text in the other language shall be furnished in the prescribed manner before the Bill is taken up for consideration by the House;

(b) a member, not being a Minister, may at his option move an amendment to a Bill in either of the said languages, but its text in the other language shall be furnished in the prescribed manner before it is taken up for consideration by the House;

(c) in the case of a measure amending any law the authoritative text whereof is not available in Hindi, the Hindi text may be prepared in the prescribed manner;

(d) a Bill introduced before the day referred to in section 3 may be considered, amended, passed, and enacted without a Hindi text.

Certain
transla-
tions to
be
authori-
tative
texts.

Laying
of Rules
before
Parlia-
ment.

5. A Hindi translation of any law purporting to have been published under sub-section (1) of section 5 of the Official Languages Act, 1963 shall be deemed to be the authoritative text of the law for all purposes including the purposes of this Act.

19 of 1963

6. Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

The Constitution declared Hindi to be the Official Language of the Union. Accordingly, Hindi could reasonably be expected to replace English for the official purposes of the Union. But there being a demand for the continuance of English also, bilingualism is the only proper solution for the time being. The provisions made in that behalf so far have been found to be inadequate and they give no opportunity to Parliament to consider the Hindi versions. It is accordingly proposed to make a comprehensive provision for bilingual legislation, which will allow a full opportunity for the use of both the languages without causing hardship to any person.

This Bill seeks to achieve the above objects.

NEW DELHI;
The 1st April, 1969.

PRAKASH VIR SHASTRI

FINANCIAL MEMORANDUM

The Bill provides for bilingual legislation, which allows a full opportunity for the use of both English and Hindi. Clause 4 of the Bill provides that if a Member uses only one language, the Government can have his Bill or amendment translated into the other language.

Although there is already a machinery for the translation of Government Bills, Amendments, Acts, etc., viz. The Official Language (Legislative) Commission, the translation of every Private Member's Bill, Amendments, etc. (not accompanied by translation) by Government would involve expenditure from the Consolidated Fund of India by way of appointment of additional staff.

It is estimated that the recurring expenditure involved would be about Rs. 20,000. There will be no non-recurring expenditure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4 of the Bill empowers the Central Government to make rules for carrying out the purposes of the proposed legislation which will be of a procedural character. Moreover, the rules made under clause 4 will be laid before each House of Parliament and they will be subject to the scrutiny of Parliament. (Clause 6).

The delegation of legislative power is thus of a normal character.

Bill No. 42 of 1969

A Bill further to amend the Salaries and Allowances of Members of Parliament Act, 1954.

Be it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

Short
title and
com-
mence-
ment.

1. (1) This Act may be called the Salaries and Allowances of Members of Parliament (Amendment) Act, 1969.

(2) It shall come into force at once.

Amend-
ment of
section.

2. In section 3 of the Salaries and Allowances of Members of Parliament Act, 1954 (hereinafter referred to as the principal Act),—

30 of 1954.

(i) for the words “thirty-one rupees”, the words “fifty-one rupees” shall be substituted.

(ii) the following proviso shall be added, namely:—

“Provided that a member may, if he so likes, draw a daily allowance of thirty-one rupees instead of fifty-one rupees.”

3. In section 4 of the principal Act, in sub-section (1), in part (ii) of clause (c), for the words “eight annas”, the words “one rupee” shall be substituted.

Amend-
ment of
section 4.

4. In section 5 of the principal Act, for the second proviso, the following proviso shall be substituted, namely:—

Amend-
ment of
section 5.

“Provided further that nothing in the first proviso shall apply if the member performs journeys by air to any place in India not more than four times during a session lasting more than seventy-five days, or not more than twice during any other session or not more than once during a sitting of a Committee and the member shall also be paid daily allowance if his absence during such intermediate journey does not exceed seven days.”

5. After section 5 of the principal Act, the following new section shall be inserted, namely:—

Insertion
of new
section
5A.

“5A. During the periods the House or Houses are not in session, a member shall be entitled to travel by air by paying the difference between the first class railway fare and the air fare.”

Air
travel.

6. In section 6 of the principal Act,—

Amend-
ment of
section 6.

(i) in sub-section (1), the following words shall be inserted at the end, namely:—

“with one attendant in third class”;

(ii) after sub-section (1) and the Explanation, the following sub-section shall be inserted, namely:—

“(1A) a free first class pass issued to a member under sub-section (1) shall entitle the holder to travel by Air-conditioned coach on payment of one-third of the difference between Air-conditioned coach and first class fares.”;

(iii) after sub-section (5), the following new sub-section shall be inserted, namely:—

“(6) A member shall be entitled to stay in the retiring rooms at railway stations for a maximum period of two days on payment of service charges only.”

7. After section 6 of the principal Act, the following new section shall be inserted, namely:—

Insertion
of new
section 6A.

“6A. (1) A member shall be provided with one free non-transferable pass of the highest class which shall entitle him to travel at any time by State transport or by private bus in his State.

Free
transit by
bus.

Explanation.— For the purposes of this section, a member shall include a Minister as defined in the Salaries and Allowances of Ministers Act, 1952, and an officer of Parliament as defined in the Salaries and Allowances of Officers of Parliament Act, 1953, other than the Chairman of the Council of States. 58 of 1952. 20 of 1953.

(2) A free bus pass issued to a member under sub-section (1) shall be valid for the term of his office and on the expiration of such term, the pass shall be surrendered to the Secretary of the House of the People or the Council of States, as the case may be:

Provided that where any such pass is issued to a new member before he takes his seat in either House of Parliament, he shall be entitled to use the pass for attending a session of that House for taking his seat therein.

(3) Nothing in this section shall be construed as disentitling a member to any travelling allowances to which he is otherwise entitled under the provisions of this Act."

8. For section 8 of the principal Act, the following sections shall be substituted, namely:—

Substitution of new section for section 8.

Rent-free accommodation.

"8. (1) A member shall be provided with a free furnished A type flat, with a servant quarter and a garage.

(2) A member, who is allotted or is already occupying a B, C, D, E or F type flat or bungalow, shall be liable to pay the difference between the rent payable for the appropriate type of accommodation in his possession and the rent payable for an A type flat with twenty-five per cent. remission.

(3) A member shall also be entitled to the provision of air-conditioning facilities in one of the rooms of his residence on payment of additional rent.

Water and electricity charges.

8A. A member shall be paid an allowance of rupees six hundred per annum on account of water and electricity charges in respect of the residence allotted to him in Delhi or New Delhi.

Telephone facilities.

8B. (1) A member shall be provided with a telephone either at his residence or at his office at his usual place of residence or any place in his constituency subject to the existence of telephone facilities in that area and he shall not be liable to make any payment in respect of the first 5400 local calls made from such telephone during a year.

(2) A member shall not be liable to make any payment in respect of the first 5400 local calls in a year made from the telephone installed at his residence or office at Delhi or New Delhi.

(3) Trunk calls made by a member shall be dealt with on "priority" basis by the Posts and Telegraphs Department.

(4) A member shall be entitled to one free trunk call during a fortnight during the periods the House of the People or the Council of

States, as the case may be, is in session from Delhi/New Delhi to a place in his constituency or to his usual place of residence.

8C. A member shall be entitled to receive free medical treatment in any medical institution in India which is run or aided by the Government of India or a State Government and the charges on this account, if any, shall be recovered by the medical institutions direct from the Government.

Medical facilities.

8D. A member shall be provided with free postage, in the form of service postage stamps, upto a limit of rupees one thousand and two hundred per annum.

Postal facilities.

8E. A member shall be entitled to stenographic/secretarial assistance and for this purpose he shall be paid an allowance of rupees one hundred per mensem.

Steno-graphic/Secretarial assistance.

8F. The dead body of a member shall be airlifted by a commercial flight or a chartered flight, as may be necessary, and transported without any charge falling on the family of the deceased, from the place of death to his normal place of residence.

Air-lifting of dead bodies of members of Parliament.

8G. A member, who intends to go abroad,—

Facilities for journeys abroad.

(a) shall be exempted from the production or 'P' forms;

(b) shall be entitled to the foreign exchange allowance of nine thousand rupees for the entire duration of Parliament from one general election to the next general election; and

(c) shall be provided with a special passport overstamped "MP" which shall entitle him to avoid undue detention and inconvenience at customs posts.

8H. The Central Government may, under any law, scrutinise the foreign mail including journals and books, addressed to a member and shall, after scrutiny, deliver the same to him."

Foreign mail.

9. In section 9 of the principal Act, in sub-section (3), in clause (f), for the words "and postal facilities mentioned in section 8", the words "postal and other facilities" shall be substituted.

Amendment of section 9.

STATEMENT OF OBJECTS AND REASONS

On the 26th April, 1968, during discussion of the Salaries and Allowances of Members of Parliament (Amendment) Bill, 1967, by Shri Panna Lal Barupal, the Minister of Parliamentary Affairs suggested that the question as to what concessions and facilities might be given to members of Parliament might be gone into by a Committee. Thereupon the Bill was withdrawn by leave of the House.

2. On 14th May, 1968, members were nominated by the Speaker of Lok Sabha and Chairman of Rajya Sabha to the Joint Committee of the Houses of Parliament to go into the question of providing further amenities and facilities to members of Parliament. This Committee made certain recommendations in this regard in its report which was presented to Lok Sabha on the 7th August, 1968.

3. The recommendations of this Committee, unanimous as well as majority, are sought to be implemented through this Bill.

NEW DELHI;
The 10th April, 1969.

YASHWANT SINGH KUSHWAH.

FINANCIAL MEMORANDUM

Clauses 2 to 4 and 6 to 8 of the Bill provide that additional amenities and facilities be given to Members. It is estimated that the additional recurring expenditure on this account is likely to be rupees twenty lakhs.

No non-recurring expenditure is likely to be incurred on account of the provisions of this Bill.

S. L. SHAKDHER,
Secretary.

